

EXHIBIT

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ORIGINAL

JohnAaron Murphy Jones 4641
Attorney at Law
1170 N. King Street
Honolulu, Hawaii 96817
Telephone: 808 926-9078

Attorney for Plaintiff
Nancy Miracle, aka
Nancy Maniscalco Greene

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

JAN 4 - 1993

at 2:00 clock and 27 min P.M.
WALTER A.Y.H. CHINN, CLERK and

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

NANCY MIRACLE,	)	CIVIL NO. 92-00605ACK
aka, NANCY MANISCALCO GREENE,	)	(Non Motor Vehicle Tort)
)	
Plaintiff,	)	PLAINTIFF'S MOTION TO
	)	RECONSIDER ORDER
vs.	)	DISMISSING PLAINTIFF'S
	)	COMPLAINT; AFFIDAVIT OF
ANNA STRASBERG, as Administratrix,	)	NANCY MIRACLE; CERTIFICATE OF
c.t.a. of the Last Will and	)	SERVICE
Testament of MARILYN MONROE.)	
)	
Defendant.)	
)	
)	
)	

PLAINTIFF'S MOTION TO RECONSIDER ORDER
DISMISSING PLAINTIFF'S COMPLAINT


Comes now Plaintiff by her attorney JohnAaron M. Jones
and moves this Court to Reconsider the Order Dismissing Plaintiff's
Complaint filed December 23, 1992.

This motion is brought pursuant to Rule 60 (b) of the

Federal Rules of Civil Procedure, and is based upon the Affidavit attached hereto and the files and records of this case.

DATED: Honolulu, Hawaii,

1/4/93



JOHNAARON M. JONES
Attorney for Plaintiff

JohnAaron Murphy Jones 4641
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Honolulu, Hawaii 96817
Telephone: 808 926-9078

Attorney for Plaintiff
Nancy Miracle, aka
Nancy Maniscalco Greene

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

NANCY MIRACLE,	)	CIVIL NO. 92-00605 ACK
aka, NANCY MANISCALCO GREENE,	)	(Non Motor Vehicle Tort)
)	
Plaintiff,)	
	)	AFFIDAVIT OF NANCY MIRACLE,
vs.	)	aka, NANCY MANISCALCO GREENE
)	
ANNA STRASBERG, as Administratrix,)	
c.t.a. of the Last Will and)	
Testament of MARILYN MONROE.)	
)	
Defendant.)	
)	
)	

AFFIDAVIT OF NANCY MIRACLE
aka, NANCY MANISCALCO GREENE

State of Hawaii)	
	)	ss.
City and County of Hawaii)	

NANCY MIRACLE, aka, NANCY MANISCALCO GREENE, Plaintiff
in the above-entitled action, being first duly sworn on oath
deposes and says:

1. That affiant's full name is NANCY MIRACLE and that
I was also known as NANCY MANISCALCO GREENE and BERNEICE MIRACLE.

2. Maternal grandmother Nellie Sanfilippo, my great grandfather and his sons were bakers from the 40's through the mid-sixties when they were put out of business. Nellie married Vito Cusumano in Marian Illinois during World War One. In the books on my mother the story supposedly non-fiction speak of an uncle of hers, Marian, who commits suicide. The rest of the (non-fiction) family are either "crazy or suicidal" to create waif image. Not to be carried to the grave. They, my grandparents, had Jennie Cusumano, Vincent Cusumano, Rose Cusumano, Nancy Cusumano, and Joseph Cusumano.

3. My maternal great grandmother, aka Gladys Pearl Baker, Rose Fontanetta Sanfilippo mother's name was Jennie.

4. My maternal great grandfather Joseph Sanfilippo's mother's name was Matea.

5. My grandfather Vito Cusumano mother's name was Nancy. In 1926 grandfather Cusumano died in coal mines in Marian Ill. After moving with her parents and children first to Bayonne New Jersey my grandmother re-married Joseph Loscalzo in October 1930 they moved to Ridgewood Brooklyn, New York and in October 1930 they had a daughter Laura my step-grandfather Loscalzo's mother's name, was Laura. He worked then and until he retired for Charles Pfizer and Co.

6. All Cusumano children lived with my grandparents on Hart Street and kept their father's name. The "girls" when married became Jennie Maniscalco, Rose Vitale, 2nd marriage and present name Rose Camizzi, and Nancy Cusumano for her career, Marilyn

Monroe, aka Norma Jean Baker.

7. Laura married John DeSalvo in about 1950. In about 1959 they had a daughter Laura/Laurie.

8. I was born in Ridgewood Brooklyn in September 1946 at 3:26 AM to Nancy Cusumano she was not married to my father at the time her only married sister was Jennie who was married to Joseph Maniscalco her first-cousin (maternal) and they had one son Lawrence his paternal grandfathers name, Lorenzo. I was named Nancy after my mother and my paternal (grand) mother Cusumano. My birth certificate bears my natural mother's thumbprints (as does everyone else), or so the state vital records assumes. I have never been adopted. I was put in the care of my mother's sister and her husband, my aunt and uncle/ "parents", whom she loved and trusted.

9. Jennie her sister, and "pal" as she wrote in Jennie's autograph book for elementary school, was not pregnant at the timepreceeding my birth, hence, Berneice Miracle.

10. I had only my hospital birth certificate (for inheritance purposes) since as far back as I can remember, and until 1985 thought it had the thumbprints of Jennie Maniscalco, and that she was my natural mother. My state birth certificate was issued in 1962, on the basis of the name on hospital birth certificate. I was not then, nor have I ever been, adopted. That state certificate was stolen at an airport in 1986 along with my first passport issued about 1976.

11. Arthur Miller wrote a play, View from The Bridge.

I have reason to believe that my mother in actuality wrote it (and because of sex symbol "dumb blonde" studio image) Mr. Miller lent his name to it. It was certainly inspired by her family. The texture of the writing is not similiar to Mr. Miller's other work. Two professors at theatre arts department at the University of Hawaii have said, "yes," she wrote it, but it was not known publicaly. The story is about a girl Berneice or Bernice who lives with her aunt and uncle, her mother, the wife's sister is dead. They are Sicilians. An attorney plays a large part, his character is similiar to that of my natural father. Berneice is always looking through movie magazines. One character, Rudolpho, is a pattern cutter in the garment center. Both my mother's brothersa worked in the garment center, and my uncle Joey still is a pattern cutter. My grandmother, my mother, my aunt mom, and my Aunt Rose all worked in garment center in the 40's. I used to when studying at Carnegie Hall, and appearing in plays, and at the Met, model for my Uncle Vinny in a garment center showroom pre-teen. They repeatedly play the song, Paper Doll by the ink spots-----"A paper doll that I can call my own....."

12. In 1985 the day I was told I phoned Mr. Miller and he met me out on Long Island in the town my uncle Vinny lived in.

13. I am a published novelist and studied writing and literature and classical theatre since I was very young. My "Dad", Uncle Joseph Maniscalco told me at 15 to "write a book". I did, Lesser Sins, which was published in September 1979. My picture appeared on the cover of Library Journal, first Novelists issue,,

and the book was reviewed very well in Publishers Weekly and Library Journal. My Communion picture appeared on the back cover of the novel. By early 1980 not three months after publication my profession, that novel, my second completed novel, my marriage, my roommate and good friend from the 60's committed suicide Elaine Miller, and my whole life came to a screeching stop.

14. In Truman Capote's last work "non-fiction", Music For Chameleons, the last story is entitled, Beautiful Child about my mother and Capote going to a funeral of an acting coach----it was around 1961. In dialogue, she says, "I want my child, if I had one, to scatter my ashes in Hawaii". In 1961-62 I was going steady with a boy who was in the army a green baret we were about to marry and go to Hawaii, but I didn't. The quote is awkward. As Mr. Capote is an expert, that's why he treated the sentence as he did. "If I had a child." would have been the way she would have said it, if she didn't have one. I'm sure she must have said to Capote, if not using my name, "I want my daughter to...." or something more like that. But, of course, Mr. Capote couldn't have had it published.

15. She, Marilyn Monroe, had a toy poodle, publicly, "Maf" short for Mafia, in Sicilian dialect, literal translation, my daughter. I studied Italian in high school, Tuscan, and never knew till recent years what ma fia meant. Publically Maf went to Frank Sinatra's kennel after her death, Frank Sinatra's daughter's name is Nancy. My dad Joseph was stationed in Nancy France during world war 2. My grandfather's

mother's name was Nancy. My mother's name was Nancy. Not to mention that Ma fia is what the women screamed in Sicily when their daughters were being robbed murdered or raped by invaders or others.

16. In March 1985 I after speaking to Mr. Richman, for the first time, he is the supposed estate agent for the estate of Marilyn Monroe, Gladys Baker and Berneice Miracle that's what it says on all the towels and all the books and on all the products and movies etc. He said, after I asked to speak to my grandmother, and that I was Marilyn Monroe's Daughter, "I get 13 calls a day from children of Marilyn Monroe," my grandmother has 12 grandchildren.

17. Mr. Jacobi of Jacobi and Meyers after speaking to Mr. Richman told me my mothers will had been probated in New York and that my grandmother was in Florida and not in a nursing home,"my Aunt Laura, lives in Florida since the mid sixties, the only time my grandmother goes to Florida is to visit her daughter Laura, my mother's only half-sister.

18. I went to the surrogates court in the index file I found a card and was sent to a large room. I found a book with a copy of "the will" which said to Gladys Baker, her mother and Berneice Miracle and her psychiatrist Jean Rhys who upon her death left her share to a school for English Infants. If Ms. Rhys was alive at probate, will didn't make sense but I'd never had to read a will before. Also, something about her costumes and jewelry to Lee Strausberg and friends the Rostens \$10,000.00 to send their

daughter to college. In all supposed "non-fiction" books on my mother they say, her mother Gladys Baker, an incompetent and Berneice Miracle her half-sister received monies, some mention English infants, none, that I've seen mention Lee Strausberg or that he received first.

19. In 1985 I also sent Mr. Richman copy of my hospital birth certificate before speaking to Mr. Jacobi as I was still in shock.

20. About three weeks later I had an appointment with the accounting department at the surrogates court my life and my friend and associates life (Gladys Washburne) were threatened in N. Y. I went to the police station where Gladys lives, and Roger Richman has his N. Y. office, and was denied police protection. In the original outline of my autobiography started on Virginia Beach in February 1985 I mentioned studying with Lee Strausberg, my novel, and blacklisting, and Wally Cox a friend of my mom's placing me at not only Carnegie Hall, but at the Waldorf with Mom, Frank Sinatra, and almost coming to Hawaii in 1961-62.....Steady boyfriend's name was Joe Caruso, having operetic connotations.

21. I did go to the accounting that day, a page said Gladys Baker died in 1982, and that at Marilyn Monroe's funeral there was \$1,000,000 spent for security for the family.

22. The book that I first saw Mr. Richman's name in says Gladys Baker in a recent interview told news people she didn't care about all her money or fame only about God, or something. That book published in England in 1984 or 85. Later a few years later

I wrote to vital records about Gladys Baker she had not died in the state of Florida where she supposedly lives according to Mr. Richman.

23. In March or April 1987 while living in Moilili I inquired at Center Art Gallery on Kalakaua Ave to Tony Curtis, the actor, to find out where the rights and residuals for the movie, Some Like It Hot, go. At 7:00 that Saturday night I went to the gallery to find the answer. At the front desk there was a phone, standing up against it a white file folder with lines the name, Arlee (MM)Miracle NW Seattle, Washington a phone number and names of two paintings one Madame Butterfly and the other I don't remember.

24. I wrote the information on a piece of paper. The next day a Sunday from Moilili 955-5042 I dialed the number.

25. A man answered, "Ms. Miracle, please," I said. "This is Center Art Gallery calling."

"Hello," she said.

I told her I was calling from Center Art Gallery and asked if the paintings had been delivered.

"Yes," she said.

"Excuse me," I then said, "Are you a relative of Marilyn Monroe's?"

She happily replied, "Yes!"

"I'm her daughter," I said.

she hesitated.

"Where are you calling from," she said angrily.

"Hawaii," I said. "Where
s the money?" I said.

"Theyt never should have given you this number," she said.

"Shall I have my attorney call you?"

"Yes!" she said.

I hung up.

I spent the next several years trying to get an attorney , and
to start fraud proceedings to no avail.

26. In late April early May of 1991 I filed with the
social security office to receive benefits for my mother's estate.
I had applied earlier, and received her certified death certificate
after having spoken to Screen Actors Guild and their telling me I
would need her SS# and they couldn't release it. So, I mailed a
copy of my hosp birth certificate to Calif and received her death
certificate. At the social security office I again had to present
my hospital birth certificate and death certificate and on the
computer came up the name Nancy Cusumano. During time I waited for
answer about benefits due me, my aunt mom , Jennie Maniscalco, fell
and broke her hip, one of the last time I talked to her she told
me that her prints were now on file with State of Florida also, she
moved there in 1988 and after going into coma, died on Mother's
Day, of 1990.

27. Also, that week or week after the National Examiner
ran a headline Found Marilyn's Love Child---The article mentioned

my name, Nancy Greene, placed me in Hawaii, gave physical description and then libeled both my parents and myself as dope fiends and child abusers they also said I'd made no claims to the estate. I did get an attorney here and started legal proceedings for libel.

28. In Jan 1991 I filed papers with the Lieutenant Governors office for formal name change. I sent a letter return, receipt, requested to Roger Richman and Arlee Miracle "reminding them" that I was still around.

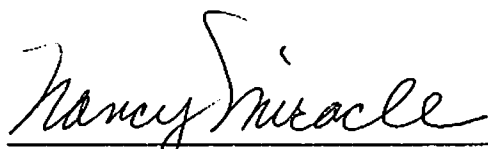
29. I then went to Mexico to recuperate from exhaustion and stress. The SS office turned down my request for benefits because I was not disabled or in school at the time of my mother's death. I also reported the fraud to them at the time of my request.

30. From Mexico, where my passport again disappeared, when it was sent in for name change, I went to New York to see relatives and stay with my grandmother. While there I went to Carnegie Hall and passing the apartment building Carnegie House I remembered that was where my mother used to live. I was sent by someone at Carnegie Hall to the Waldorf, memories of those years came flooding back. Recollections were confirmed by doormen and others who remembered both me and my mother.

31. One day I went downtown to the surrogates court to bring photo of myself on the stage at the lyric theatre with Lee Strausberg to Mr. Knox. I went to his office and before I told or showed him the photos he left and came back with a copy of will

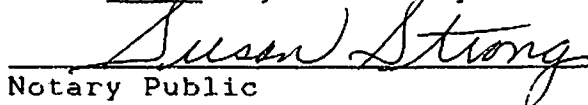
made out to Lee Strausberg'to be distributed to those to whom I am devoted, and papers about Ana Strausberg and Irving P. Seidman, with a list of names of people interested in the estate. I'm not listed. Of course I'm not listed, I already get the monies, according to the estate, I sent a letter return, receipt, requested, to Irving P. Seidman with my P. O. Box No. in Hawaii as my return address. I then went to an art an art show, The Discovery Photos," showing my Mom at 19-20 as a brunette before plastic surgery on her nose almost exact to photo of myself on cover of Library Journal. That show proceeds went to handicapped through the estate.

The purpose of this affidavit is to show that the defendants did in fact defraud me and concealed the fact that I was the natural daughter of Marilyn Monroe. see Plaintiff Exhibit G attached hereto.



NANCY MIRACLE
aka NANCY MANISCALCO GREENE

Subscribed and sworn to before me
this 4th day of January 1993


Notary Public

My commission expires: 4-3-96

LS

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:
IRVING P. Seidman PC
600 Third Ave
New York NY 10016

4. Article Number
PK 29209 273

Type of Service:
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and **DATE DELIVERED**.

5. Signature - Addressee
X *H. Frick*

6. Signature - Agent
X

7. Date of Delivery
6/28/97

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Apr. 1989 • U.S.G.P.O. 1989-238-815 DOMESTIC RETURN RECEIPT

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

4. Article Number
P347.003.798

Type of Service:
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and **DATE DELIVERED**.

5. Signature - Addressee
X *N. Baird*

6. Signature - Agent
X

7. Date of Delivery
JAN

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Apr. 1989 • U.S.G.P.O. 1989-238-815 DOMESTIC RETURN RECEIPT

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

- Print your name, address and ZIP Code in the space below.
- Complete items 1, 2, 3, and 4 on the reverse.
 - Attach to front of article if space permits, otherwise affix to back of article.
 - Endorse article "Return Receipt Requested" adjacent to number.



PENALTY FOR PRIVATE
USE, \$300

RETURN
TO

Print Sender's name, address, and ZIP Code in the space below.

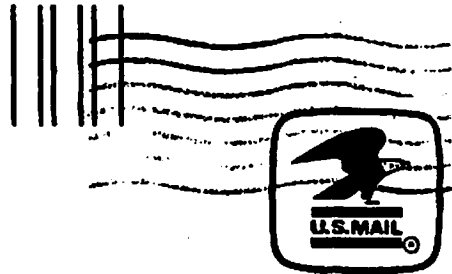
Nancy Miracle
PO Box 89676
Hammond LA 70401 96830

EXH G

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

- Print your name, address and ZIP Code in the space below.
- Complete items 1, 2, 3, and 4 on the reverse.
 - Attach to front of article if space permits, otherwise affix to back of article.
 - Endorse article "Return Receipt Requested" adjacent to number.



PENALTY FOR PRIVATE USE, \$300

RETURN
TO

Print Sender's name, address, and ZIP Code in the space below.

MARILYN MONROE FOUND
PO BOX 77
CABO SAN LUCAS BCS MEXICO

MARILYN MONROE FOUND

PO BOX 77

CABO SAN LUCAS BCS MEXICO

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

- Print your name, address and ZIP Code in the space below.
- Complete items 1, 2, 3, and 4 on the reverse.
 - Attach to front of article if space permits, otherwise affix to back of article.
 - Endorse article "Return Receipt Requested" adjacent to number.



PENALTY FOR PRIVATE USE, \$300

RETURN
TO

Print Sender's name, address, and ZIP Code in the space below.

MARILYN MONROE FOUND
PO BOX 77
CABO SAN LUCAS BCS MEXICO

MARILYN MONROE FOUND

PO BOX 77

CABO SAN LUCAS BCS MEXICO

EXH G

<p>● SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.</p> <p>Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.</p> <p>1. <input type="checkbox"/> Show to whom delivered, date, and addressee's address. (Extra charge) 2. <input type="checkbox"/> Restricted Delivery (Extra charge)</p>	
<p>3. Article Addressed to:</p> <p><i>A Miracle</i> <i>VB</i> <i>1339 42nd ST</i> <i>9818</i></p>	<p>4. Article Number</p> <p><i>P347.003.795</i></p> <p>Type of Service:</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise</p> <p>Always obtain signature of addressee or agent and DATE DELIVERED.</p>
<p>5. Signature - Addressee</p> <p>X <i>Alice Miracle</i></p>	<p>8. Addressee's Address (ONLY if requested and fee paid)</p> <p><i>1339 42nd ST</i> <i>9818</i></p> <p><i>SEASIDE HEIGHTS BR</i> <i>NOV 10 1989</i> <i>USPS</i></p>
<p>6. Signature - Agent</p> <p>X</p>	
<p>7. Date of Delivery</p> <p><i>11/18</i></p>	

PS Form 3811, Apr. 1989

*U.S.G.P.O. 1989-238-615

DOMESTIC RETURN RECEIPT

EXH G

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

NANCY MIRACLE,	)	CIVIL NO. 92-00605ACK
aka, NANCY MANISCALCO GREEN,	)	(Non-Motor Vehicle Tort)
)	
Plaintiff,	)	CERTIFICATE OF SERVICE
)	
vs.)	
)	
ANNA STRASBERG, as)	
Administratrix, c.t.a. of the)	
Last Will and Testament of)	
MARILYN MONROE.)	
)	
Defendant.)	
)	

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this date a copy of Notice of Hearing of Plaintiff's Motion, above-named, was duly served upon the following party at his address by the manner indicated:

IRVING SEIDMAN,
Attorney at Law
600 Third Avenue
New York, New York 10016 and;

MILTON YASUNAGA
CADES SCHUTTE FLEMING & WRIGHT
1000 Bishop Street
Honolulu, Hawaii 96813

Attorneys for Defendant

DATED: Honolulu, Hawaii,

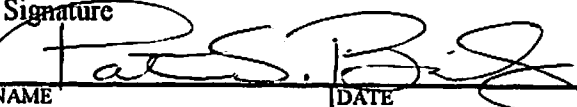
1/4/93

JOHN AARON M. JONES
Attorney for Plaintiff

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

To all to whom these presents shall come. Greeting:

By virtue of the authority vested in me by the Archivist of the United States, I certify on his behalf, under the seal of the National Archives and Records Administration, that the attached reproduction(s) is a true and correct copy of documents in his custody.

Signature 	
NAME PATRICIA S. BAILEY	DATE February 6, 2008
TITLE Acting Director, Records Center Operations	
NAME AND ADDRESS OF DEPOSITORY Office of Regional Records Services Pacific Region (San Francisco) 1000 Commodore Drive San Bruno, CA 94066-2350	

*U.S. GPO: 1987-122/79063

NA FORM 13040 (10-86)

**PLAINTIFF'S MOTION TO RECONSIDER ORDER
DISMISSING PLAINTIFF'S COMPLAINT**

Complainant now Plaintiff by her attorney John Aaron M. Jones and moves this Court to Reconsider the Order Dismissing Plaintiff's Complaint filed December 2, 1992.

This motion is brought pursuant to Rule 60 (b) of the